Amendments to the Claims:

This listing of claims replaces all prior versions, and listings, of claims in the application:

Listing of Claims:

1-12. (Cancelled)

13. (Currently Amended)   A method in a communication device for receiving Multimedia Broadcast and Multicast System (MBMS) data, comprising the steps of:

receiving MBMS data on a first frequency;

switching to a second frequency to perform a measurement, said switching performed autonomously by said communication device;

performing a measurement;

switching back to the first frequency to continue to receive MBMS data; and,

performing outer decoding to recover MBMS data not received during the performing the measurement step.

14. (Currently Amended)   The method recited in claim 13, wherein the step of performing outer decoding comprises the steps of:

despreading the MBMS data using a spreading decoder or despreader to decode an inner code data;

using a first decoder turbo or convolutional decoder to decode a first outer code data;

using a redundancy checker decoder to decode a second outer code; and,

combining the outer and inner code data to recover the MBMS data not received during the step of performing a measurement.

15. (Cancelled).

16. (Currently Amended)   A communication device, comprising:

a processor;

a memory coupled to the processor, wherein the memory includes instructions for <u>performing the process of</u>:

receiving MBMS data on a first frequency;

switching to a second frequency to perform a measurement<u>, said switching performed autonomously by said communication device</u>;

performing a measurement;

switching back to the first frequency to continue to receive MBMS data; and,

performing outer decoding to recover MBMS data not received during the performing the measurement step.

17. (Currently Amended) The communication device recited in claim 16, wherein the <u>process of</u> performing outer decoding ~~instructions~~ ~~further~~ comprises ~~the~~ ~~steps of~~:

~~despreading the MBMS data~~ <u>using a spreading decoder or despreader</u> to decode <u>an</u> inner code ~~data~~;

using a ~~first decoder~~ <u>turbo or convolutional decoder</u> to decode <u>a</u> first outer code ~~data~~;

using a redundancy checker decoder to decode <u>a</u> second outer code; and,

combining the outer and inner code<u>s</u> ~~data~~ to recover the MBMS data not received during the <u>process of</u> performing the measurement ~~step~~.

18-21. (Cancelled)

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